

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
SOUTHERN DIVISION

UNITED STATES OF AMERICA : Criminal Action No.  
v. : PWG 15-0277  
GBENGA BENSON OGUNDELE, : Greenbelt, Maryland  
et al., :  
Defendant. : Thursday, October 27, 2016  
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TRANSCRIPT EXCERPT OF JURY TRIAL PROCEEDINGS  
BEFORE THE HONORABLE PAUL W. GRIMM  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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COMPUTER-AIDED TRANSCRIPTION OF STENOTYPE NOTES

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I-N-D-E-X

WITNESSES

<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
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On behalf of the Government:

Carolyn Elingburg

(By Mr. Windom)

5

(By Mr. Kramer)

37

(By Mr. Eisele)

41

Angie Kennard

(By Ms. Bressack)

44

(By Mr. Kramer)

79

P-R-O-C-E-E-D-I-N-G-S

EXCERPT

(Whereupon, other proceedings were reported, but are not herein transcribed.)

MR. WINDOM: Your Honor, we're going to call Carol Elingburg.

THE COURT: Elingburg?

MR. WINDOM: Yes, sir.

THE COURT: Folks, I'm thinking about a break around 11. Can you hold out until then? All right.

MR. WINDOM: Maybe after this direct, Your Honor.

THE COURT: Good morning, ma'am. Would you just come forward please to the -- go through the door that Mr. Windom is holding open and come right over here? And our courtroom deputy will tell you what to do when you get there.

CAROLYN ELINGBURG, GOVERNMENT WITNESS, SWORN

THE DEPUTY CLERK: Be seated. Speak directly into the microphone. State your first and last name, and please spell your last name.

THE WITNESS: Carolyn Elingburg, E-L-I-N-G-B-U-R-G.

THE DEPUTY CLERK: Thank you.

THE COURT: All right. Ms. Elingburg, let me sort of explain the rules of the road. The lawyers will ask you questions. Please listen carefully to each question. If it isn't clear, tell me. I'll make sure it's clear before you have

1 to answer it. If it is clear, please answer it directly.

2 Please don't guess, don't speculate and make sure your answers  
3 are based upon information that you have your own personal  
4 knowledge of.

5 If someone asks you to look at a document or a  
6 photograph so that you can answer questions about it, you can  
7 spend however long you need to look at it to make sure your  
8 answers can be accurate.

9 Please make sure your voice is kept up loud so that it  
10 can be heard. And if you can just bend the tip of that  
11 microphone in front of you, so that it points directly opposite  
12 your mouth. You'll see it's turned to the side. If you just  
13 point -- no, the other way. There you go.

14 And there's water in the pitcher and a cup there if  
15 you want that. And please make sure that you speak slowly,  
16 because our court reporter has to take down what you say.

17 Thank you.

18 MR. WINDOM: Thank you, Your Honor.

19 DIRECT EXAMINATION

20 BY MR. WINDOM:

21 Q Good morning, Ms. Elingburg. How are you?

22 A I'm fine, thank you.

23 Q Ma'am, where do you live?

24 A I live in Concord, North Carolina.

25 Q Did you fly up here from there or did y'all drive?

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 A I flew.

2 Q And when did you come in?

3 A I came in yesterday afternoon.

4 Q Okay. How long have you lived in Concord, North Carolina?

5 A Twelve years.

6 Q Are you working?

7 A No, I'm retired.

8 Q What did you retire from?

9 A I retired from a company called Nipro. I was their  
10 materials manager.

11 Q And sorry for the indelicate question, ma'am, but when were  
12 you born?

13 A 1944.

14 Q Ma'am, have you ever been married?

15 A Yes, twice.

16 Q Let's talk about your most recent marriage. How long were  
17 you married for?

18 A Thirty-five years.

19 Q And are you married right now?

20 A No, sir.

21 Q Okay. How did your marriage end?

22 A My husband passed away.

23 Q When did he pass?

24 A He had congestive heart failure and COPD.

25 Q And approximately when did he pass, ma'am?

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 A February, 2014.

2 Q Were y'all living down in, I guess, for 12 years, I guess  
3 you've been living in North Carolina at that time, right?

4 A That's correct.

5 Q Ma'am, do you know what Facebook is?

6 A I beg your pardon?

7 Q Do you know what Facebook is?

8 A Yes, I do.

9 Q Okay. Are you a member of Facebook?

10 A Yes, sir.

11 Q What do you do on Facebook, just generally speaking?

12 A Well, mostly read what my friends put on there and on  
13 occasion, I put something on there myself.

14 Q Ma'am, have you ever met anybody, any romantic interest  
15 through your Facebook?

16 A Yes, sir.

17 Q Okay. And who is that?

18 A A gentleman named David Watson.

19 Q Approximately, when did you meet this individual,  
20 David Watson?

21 A The early part of 2014.

22 Q Would this be shortly after your husband passed?

23 A Yes.

24 Q How did you come to meet this person going by the name  
25 David Watson?

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 A He sent me a friend request.

2 Q Through Facebook?

3 A Yes.

4 Q And what happened after he sent you the friend request?

5 A We started communicating back and forth.

6 Q Now, why did you accept the friend request?

7 A Actually, it was kind of a joke between me and my neighbor.  
8 We had gone out of town and we were staying at a place down in  
9 Durham and we had made the comment about not letting anybody in  
10 our room that night. So, when I got up the next morning, I had  
11 a friend request from a very, very handsome man and I didn't  
12 answer it at the time.

13 Three or four days after I got home, she and I were talking  
14 and I said, well, just for the heck of it, I think I'll answer  
15 his request, because he was friends with two or three people  
16 that I already knew. So I assumed that it was going to be okay.

17 Q Ma'am, can you describe what he looked like in this --  
18 excuse me, in his Facebook picture?

19 A He was very handsome. He had a nice tan, a nice build,  
20 dark hair.

21 Q So after you accepted his friend request, were you in  
22 contact through Facebook?

23 A Yes.

24 Q How long were y'all in contact through Facebook?

25 A Couple of years, I guess.



**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 Q Did he share any personal details about himself?

2 A Yes, he did.

3 Q Can you explain a little bit about who he said he was?

4 A Well, he said he was an engineer, that his wife had died at  
5 child birth, that he had one son whose name was Garvin and that  
6 his son was in a private school in London, and that he worked  
7 for a company in Atlanta. And I'm not sure what the name of  
8 that company was. I've forgotten.

9 Q Did he say what line of work he was in?

10 A Yes, he said that he was an engineer, specifically, in oil.

11 Q Now, you communicated with him on Facebook. Did you  
12 communicate with him through any other method like, you know,  
13 text message or phone calls or e-mail?

14 A Phone calls, e-mails, and then once on Skype.

15 Q On Skype, okay.

16 Now, let's talk about the phone calls. Do you know  
17 approximately how long after you first accepted his friend  
18 request that you spoke to him on the telephone?

19 A Maybe a week.

20 Q And approximately, how often did you speak with this person  
21 who went by the name of David Watson?

22 A Probably every day.

23 Q Just on regular telephone?

24 A Yes.

25 Q Or your cell phone, I guess?

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 A Yes.

2 Q When you spoke with him, did he appear to have any sort of  
3 accent?

4 A Yes.

5 Q Can you identify that accent in any way?

6 A Well, he had originally told me he was from Canada. So I  
7 assumed it was a Canadian accent. I did not know really what a  
8 Canadian accent sounded like, but because he said he was from  
9 there, that's what I thought.

10 Q Can you explain for the jury approximately how much of your  
11 communication with this David Watson was over the telephone  
12 versus online?

13 A I would say probably 75 percent was on the phone and the  
14 other 25 was through -- split between text messages and emails.

15 Q And during approximately how long was the time period in  
16 which y'all were in, you know, decently constant contact?

17 A Six or seven months.

18 Q Would this be all kind of a early, mid, late 2014?

19 A Probably up until around July or August of 2014.

20 Q 2014, okay. Did you ever meet this person who went by  
21 David Watson, did you ever meet him in person?

22 A No, sir.

23 Q When y'all were talking on the phone, what sort of things  
24 would y'all talk about?

25 A We talked about my family, mostly, and then what he was

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 planning to do as far as his next job.

2 Q What sort of things would he ask you about your family?

3 A If I had children, how old they were; if I had sisters,  
4 where did she live; and a lot of personal things about myself.

5 Q And did you share those details of your personal life?

6 A Yes, I did.

7 Q You mentioned that he also -- that y'all also talked about  
8 what his next job was going to be. What did he say about that?

9 A Well, he said he was working with some people from China to  
10 do an oil exploration and that he was trying to come up with the  
11 money to do this because the company he worked for was not going  
12 to pay for it and that he needed to get the money himself to do  
13 this job. He was going to be going out on an oil rig drilling  
14 for oil.

15 Q Was your understanding that that oil rig would be somewhere  
16 off of China?

17 A Yes.

18 Q Did he indicate to you approximately how much money he  
19 thought he was going to make from this project?

20 A How much he was going to make?

21 Q Yes, ma'am.

22 A Yes, he was going to make millions.

23 Q That's what he told you?

24 A Yes.

25 Q You mentioned that he was trying to come up with some

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 money. Did he ever ask you for money?

2 A Yes.

3 Q Can you explain the first instance in which he asked you  
4 for money?

5 A He wanted money for an airline ticket to go to New York and  
6 then on to China, and he needed, I think he -- yes, he said he  
7 was \$30,000 short of what he needed to start the job.

8 Q Let me ask you about that airplane ticket. You said that  
9 he had told you he was from Canada. Did he tell you where he  
10 was living at the time though?

11 A Atlanta.

12 Q In Atlanta, okay. So your understanding was that he needed  
13 a plane ticket to go to New York and then on to China?

14 A Yes.

15 Q Did he actually ask you for any money to pay for that plane  
16 ticket?

17 A Yes.

18 Q How much money did he ask you for?

19 A He asked me for, I think it was \$5000.

20 Q Did you pay him any of the money?

21 A Yes.

22 Q How did you pay him, do you remember?

23 A I think it was certified check.

24 Q Do you remember if you mailed it or deposited it into a  
25 bank account or anything of that nature?

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 A I think I mailed it. I'm not sure. I may have sent it  
2 Federal Express. Yeah, I think that's what I did. I'm not real  
3 sure.

4 Q That's no problem. You also mentioned a \$30,000 that -- a  
5 \$30,000 amount that he was talking about. What did he need that  
6 money for?

7 A He said he needed that money to buy tools, equipment to do  
8 the drilling job.

9 Q Off in China?

10 A Yes.

11 Q Was he -- when he asked you for that money, did he say that  
12 he was still here in the U.S. or did he say that he was already  
13 off in China?

14 A He was still in the United States.

15 Q And the time period in which he would have asked for that  
16 \$30,000, that would have been sometime, I guess, between  
17 February and July or so of 2014?

18 A Yes.

19 Q Did you agree to pay him the \$30,000?

20 A Yes, I did.

21 Q Did he explain to you how he wanted you to pay him the  
22 money?

23 A He gave me instructions on where to send it and that's what  
24 I did.

25 Q Does the name Grace Autos sound familiar to you at all?

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 A Absolutely, yes.

2 Q How does that sound familiar?

3 A That's where I sent the check.

4 Q For \$30,000?

5 A Yes.

6 Q Do you recall how you sent that check?

7 A I think I wired it. It's a wire transfer.

8 Q Did Mr. Watson, did this person going by the name David  
9 Watson, did he tell you what Grace Auto was?

10 A No.

11 Q What did he say, if anything, about why he needed you to  
12 send the money to Grace Auto as opposed to him directly?

13 A No, he did not say.

14 Q He didn't say. He just asked for the 30,000, but it had to  
15 be directed to Grace Auto?

16 A Yes.

17 Q Okay. So you've talked about a check. What bank did you  
18 use for yourself at that time?

19 A Wells Fargo.

20 Q Did you have to go into your Wells Fargo Bank branch in  
21 order to make this transaction?

22 A Yes, I did.

23 Q What city was that Wells Fargo branch in?

24 A That was Harrisburg, North Carolina.

25 Q Now, was it a cashiers check, do you recall?

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 A It's been two and-a-half years, I'm not sure.

2 Q That's okay. I'll show you some documents --

3 A Okay.

4 Q -- and we'll go from there.

5 Did Mr. Watson say whether or not he would be able to pay  
6 you back for that \$30,000?

7 A Yes, he did. He said he would give me the money back when  
8 he was paid.

9 Q Did he ever pay you back?

10 A No, sir.

11 Q Approximately -- well, did he ever say how long it would  
12 take before he got paid before he would be able to pay you back?

13 A I think he said approximately three months.

14 Q And at the end of that three-month period when he hadn't  
15 paid you back, what conversations about that happened?

16 A Well, I kept asking him when I would get my money and he  
17 kept telling me that the job had to be inspected and the  
18 inspectors had not shown up. And he just kept making excuses  
19 and making excuses.

20 Q So, I'm going to come back to that \$30,000 in a few  
21 minutes. Other than that \$30,000, were there any other  
22 occasions, I guess after that 30,000, where he asked you for  
23 money?

24 A Yes, while he was still on the job, he asked me for another  
25 16,000.

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 Q And at this point, he supposedly was actually in China at  
2 that point in time?

3 A Yes.

4 Q Okay. So he asked you for \$16,000. Did you pay that  
5 money?

6 A Nope. No, sir.

7 Q What did he say that money was for?

8 A He hadn't finished the job. This was after he had been, he  
9 said, inspected and then turned down. Then he needed more money  
10 because they had to do more work and he was out of money, so he  
11 needed more.

12 Q Did this person going by the name of David Watson ever talk  
13 to you about setting up a bank account on his behalf?

14 A Yes, he did.

15 Q Can you tell the jury what he said about that?

16 A He asked me to open an account in the UK and that he would  
17 put the money in the bank there, that he was going to get for  
18 the job and supposedly, it was for several million dollars.

19 Q So this would have been a bank account at a bank in the  
20 United Kingdom?

21 A Yes.

22 Q Did you open that bank account that he asked you to do?

23 A No.

24 Q Why not?

25 A Well, because I found out that in order to open the



**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 account, I had to give them more money. It was somewhere around  
2 34, \$35,000 and I refused.

3 Q So you were told that it would be about \$34,000 to open a  
4 bank account in Britain?

5 A Yes.

6 Q And the purpose of opening that account would be to get  
7 this windfall of millions of dollars, correct?

8 A Yes, that's correct.

9 Q So after I -- after sending those, sending the money to him  
10 and then after not opening the bank account, at some point did  
11 the contact with this David Watson person end?

12 A No.

13 Q Okay. Let's talk about the more frequent contact. At some  
14 point, did the more frequent contact with Mr. Watson end?

15 A Yes.

16 Q Okay. And that was, I think you said earlier, kind of  
17 mid-ish 2014, is that right?

18 A Yes.

19 Q Okay. But then you just said, no, that the contact did not  
20 end. So can you explain the further contact after that?

21 A Yes, we had further contact after that.

22 Q Was that by telephone or how?

23 A Mostly text messages.

24 Q What was the nature of that contact?

25 A Well, he kept blaming me for him not being able to get the

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 money for the job that he had done because I would not open the  
2 bank account. He said he could not get paid if I didn't open  
3 the account.

4 Q And did you continue refusing to pay?

5 A Yes.

6 Q You mentioned when I asked you earlier the types of ways in  
7 which y'all communicated, you mentioned Skype. What is Skype?

8 A It's where you can call somebody up and see a picture of  
9 them, the person you're talking to.

10 Q Like a real-time video?

11 A Yes.

12 Q All right. And you said that you had a Skype conversation  
13 with this person going by the name David Watson?

14 A Well, very, very brief.

15 Q Why don't you tell us about that?

16 A Okay. Well, I had asked for a photo of him, because I  
17 became very suspicious that he was not who he was saying he was  
18 and he would never send me the photo. And he said, well, how  
19 about if we do Skype. And I had never done that before, so I  
20 agreed.

21 And he called me and when I answered, the screen was  
22 totally black. And I said, I can't see you, can you see me.  
23 And he said, yes, I can see you. And I said, well, I can't see  
24 you because the screen's black. And he said, well, I've got the  
25 lights out. And I asked him why he had the lights out and he

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 said, well, let me turn more light on.

2 So he turned one light on and I could just see the corner,  
3 about this much of his face. And he said, can you see me now?  
4 And I said, a little bit. And all of a sudden, the screen went  
5 black again.

6 Q For that little bit that you saw of this person who went by  
7 the name of David Watson, what did he look like?

8 A I could tell that he was black, black hair and he had  
9 continually told me that he was a white person and that's pretty  
10 much all I could see.

11 Q The person that you chatted with on Skype, did that person  
12 look anything like that very attractive man, profile picture  
13 that you had gotten a few months ago?

14 A Unfortunately, no.

15 Q In terms of the age as well, what was the age of the person  
16 on the profile picture versus the person that you spoke with?

17 A I guess the age of the very nice looking man was probably  
18 in his late thirties. I couldn't really see enough of the Skype  
19 picture to know what his age might have been.

20 Q So, if it's somewhere around October 27th or so of 2016  
21 right now, when did this Skype conversation happen?

22 A What's that?

23 Q When did this Skype conversation happen?

24 A Oh, this was probably four months ago.

25 Q Okay. Now, ma'am, I promised you some documents and I

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 won't fail you there. I'm going to show you a few documents  
2 here.

3 MR. WINDOM: Your Honor, the government is going to  
4 move the admission of WF5-A. That's Wells Fargo 5-A.

5 THE COURT: So let's hold on until we know that the  
6 defense counsel have had a chance to look at it.

7 MR. KRAMER: We got it.

8 THE COURT: Any objection?

9 MR. KRAMER: No.

10 THE COURT: It's in.

11 BY MR. WINDOM:

12 Q Ms. Elingburg, I've put up on the screen a document labeled  
13 Wells Fargo 5-A and I'm going to ask you some questions about  
14 this. First of all, just let me just get this out of the way.  
15 Have you ever seen this document before?

16 A I beg your pardon?

17 Q Have you ever seen this document before?

18 A Not what's on my screen.

19 Q And does -- thank you for the clarification. What you've  
20 got your screen is what we've all got on our screen and what the  
21 jury has on its screen. So you haven't seen this before. Fair  
22 to say that this is not your checking account?

23 A No.

24 Q Okay. I'm going to ask you, ma'am, a few things on this  
25 document. Do you see at the top where it says account number?

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 A Yes.

2 Q And can you read the last four of the account number that  
3 I've highlighted?

4 A 6413.

5 Q And what's the time period for this bank statement?

6 A March 1st, 2014 through March 31, 2014.

7 Q What's the person and entity name in -- for whom this bank  
8 statement applies?

9 A The name?

10 Q Yes, ma'am. If you can pronounce it or you can spell it?

11 A Okay. O-L-U-S-O-L-A; last name, O-L-L-A.

12 Q Do you know who that person is?

13 A No.

14 Q Do you see below where it says DBA, doing business as,  
15 Grace Auto, do you see that?

16 A Yes.

17 Q Okay. Now Grace Auto, that's the name you mentioned before  
18 for where you were supposed to send that \$30,000, right?

19 A Yes.

20 Q Going to go to the second page of this exhibit. And do you  
21 see up here where I've highlighted where it says transaction  
22 history?

23 A Uh-uh.

24 Q And then do you see where I've highlighted the columns that  
25 say date, deposits and credits and the ending daily balance, do

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 you see that?

2 A Yes.

3 Q I'm going to keep that up top and I'm going to show you one  
4 of the line items down here at the bottom. So at the top I've  
5 kept what we just looked at and then just below that I've put an  
6 entry with the date of March 25th, 2014, do you see that entry,  
7 ma'am?

8 A Yes.

9 Q Do you see where it says, deposit made in a branch or  
10 store?

11 A Yes.

12 Q What's the amount there?

13 A 30,000.

14 Q How much was the amount that you paid Grace Auto?

15 A 30,000.

16 Q If you can take a second and go to the date before  
17 March 25th, so the date before your check hit that account. On  
18 March 24th, what was the ending daily balance for that account?

19 A What was the what, I'm sorry?

20 Q What was the ending daily balance on this account on the  
21 date before your money went in? So off to the far right where  
22 I've highlighted.

23 A Yeah, \$624.

24 Q And then your \$30,000 check or a \$30,000 check went out.

25 And I'm now going to show you --

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 MR. WINDOM: Well, I'm now going to move the admission  
2 of Wells Fargo 5-D?

3 THE COURT: Any objection?

4 MR. KRAMER: Your Honor, the only objection is --

5 THE COURT: Don't make objections from there. You  
6 come up to the bench if you want to make an objection. If you  
7 can make an objection in two words, you can make it there, but I  
8 don't want objections being made from the well of the court.

9 Come on up.

10 (Bench conference.)

11 MR. KRAMER: Sorry. My only concern is that the  
12 person whose account they're talking about isn't on trial today  
13 and I don't want the jury to be confused, thinking that one of  
14 these people is Mr. Olla who is set for the next trial. That's  
15 all.

16 THE COURT: Well, that can be brought out on  
17 cross-examination.

18 MR. KRAMER: That's fine.

19 THE COURT: It's admitted.

20 MR. KRAMER: No objection.

21 (Open court.)

22 THE COURT: All right. It's admitted.

23 BY MR. WINDOM:

24 Q All right. Ma'am, I'm going to put another document on  
25 your screen. It's WF5-D. Do you see this, ma'am?

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 A Yes.

2 Q Okay. And let's just enlarge that. Do you see the date  
3 here, March 25th of 2014?

4 A Yes.

5 Q Okay. And do you see where it says, Grace Auto?

6 A Yes.

7 Q And do you see over on the right where it says \$30,000?

8 A Yes.

9 Q Do you recognize this handwriting at all?

10 A No.

11 Q Going to the second page of this exhibit -- well, I guess  
12 on the left I'll start off. Do you see at the top, ma'am, where  
13 it says, deposit?

14 A Yes.

15 Q Now, the second page of this Exhibit WF5-B, this cashiers  
16 check --

17 A Okay.

18 Q -- do you have that on your screen in front of you, ma'am?

19 A Yes.

20 Q Great. I'm going to ask you a few things about this. So  
21 do you see where it says, cashiers check?

22 A Yes.

23 Q And then could you please read the date and the amount?

24 A The date is March 25th, 2014 and the amount is \$30,000.

25 Q And do you see where it says, Pay To The Order Of: Grace



**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 Auto?

2 A Yes.

3 Q Is that the same name of the company and the same amount  
4 and the same time frame in which you were sending Grace Auto  
5 \$30,000?

6 A Yes.

7 Q And you mentioned also the bank branch that you went to in  
8 order to send that money. Do you see on the bottom left where  
9 I've highlighted a particular Wells Fargo branch?

10 A Yes.

11 Q Is that the same bank branch where you went to?

12 A Yes, it is.

13 Q Down in Harrisburg, North Carolina?

14 THE COURT: Did -- was there an answer to the  
15 question?

16 MR. WINDOM: I think maybe we crossed over each other.  
17 I asked her if that was the same bank branch and she indicated,  
18 yes. I said down in North Carolina after that.

19 BY MR. WINDOM:

20 Q Ma'am, was that in Harrisburg, North Carolina?

21 A Yes.

22 MR. WINDOM: The next exhibit the government is going  
23 to move admission of is WF, Wells Fargo, 5-C?

24 THE COURT: It's admitted.

25 BY MR. WINDOM:

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 Q Okay. So let's do this: Let's put up Wells Fargo 5-C on  
2 the right hand side of the screen and let's put on the left side  
3 of the screen the bank statement that we were looking at just a  
4 minute ago, which was WF5-A. So without having you, you know,  
5 re-read everything that you read before --

6 MR. KRAMER: What exhibit number was that, sir?

7 MR. WINDOM: Wells Fargo 5-C.

8 MR. KRAMER: 5-C.

9 MR. WINDOM: So, 5-A is on the left side of the screen  
10 and 5-C is on the right side of the screen.

11 BY MR. WINDOM:

12 Q Ma'am, do you see the account numbers on these two  
13 documents? Are they the same?

14 A Yes.

15 Q And then the time period for the bank statement, fair to  
16 say that this is -- the one on the right is just the next month  
17 after the statement on the left?

18 A Yes.

19 Q And again, this is the Grace -- excuse me, the Grace Auto  
20 checking account, correct?

21 A Yes.

22 Q On the left side of the screen, I'm putting up the date and  
23 I'll make that bigger because nobody can read that. The  
24 March 25th, \$30,000 on the left side of the screen and then on  
25 the right side of the screen I'm going to go to the second page

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 of Wells Fargo 5-C. Do you see the date April 7th on this  
2 document on the right side of the screen, ma'am?

3 A Yes.

4 Q Do you see that it says 1599 and check, do you see that?

5 A Yes.

6 Q What's the amount of check 1599? It's on the right side of  
7 the screen.

8 A \$28,855.

9 Q So about \$1,145 less than the \$30,000?

10 A Yes.

11 Q And that would be 13 days after you deposited that \$30,000  
12 check?

13 A Yes.

14 MR. WINDOM: I'm going to move the admission of Wells  
15 Fargo 3-F and then just for efficiency sake, the next one will  
16 be Wells Fargo 3-A; so 3-F and 3-A?

17 THE COURT: You're at 3-F and 3-A?

18 MR. WINDOM: Yes, sir.

19 THE COURT: They're admitted.

20 MR. CARDIN: Excuse me. Did you say 5-A or 3-A?

21 MR. WINDOM: Three, Wells Fargo 3-F and Wells Fargo  
22 3-A.

23 BY MR. WINDOM:

24 Q So, ma'am, on the left side of the screen I've got that  
25 same \$28,855 entry on the bank statement and on the right side

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 of the screen I have check number 1599 from the Grace Auto  
2 account. Do you see that on the right side the screen, ma'am?

3 A Yes.

4 Q What's the name of the entity whose check this is that I've  
5 just highlighted?

6 A Grace Auto.

7 Q And who is the check made out to the order of, if you can  
8 pronounce it or spell it, either way.

9 A B-A-B-A-T-U-N-D-E; last name, P-O-P-O-U-L-A.

10 Q Would that be, based on your reading, would that be  
11 Babatunde Popoola?

12 A Yes.

13 Q Do you know who Babatunde Popoola is?

14 A No.

15 Q The amount of the check, is that the same as the amount on  
16 the bank statement on the left?

17 A Yes.

18 Q The second page of Wells Fargo 3-F is now on the right side  
19 of the screen. The original check itself is on the left. Do  
20 you see this deposit slip, ma'am?

21 A Yes.

22 Q And can you read the last four of the account number into  
23 which that \$28,855 check is going? I've just highlighted it.

24 A That 127.

25 Q Yes, ma'am. Thank you.

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 And whose name is printed on this deposit slip?

2 A It's B-A-B-A-T-U-N-D-E, last name, P-O-P-O-U-L-A.

3 Q Babatunde Popoola again?

4 A Yes.

5 Q The same individual whose name is on the check?

6 A Yes.

7 Q Now, the Wells Fargo 3-A, which was just admitted a moment  
8 ago, I'm going to have you, ma'am, read some things on this one.  
9 Do you see where it says consumer account application?

10 A Yes.

11 Q And do you see that this is a Wells Fargo document?

12 A Yes.

13 Q Can I ask you some things about the account number and the  
14 customer here. So down here where it says new account  
15 information, can you read the last four numbers on the Wells  
16 Fargo Way To Save checking account number that I've highlighted  
17 there?

18 A 5127.

19 Q And who is the customer who owns this account?

20 A B-A-B-A-T-U-N-D-E; last name, P-O-P-O-O-L-A.

21 Q And what -- according to this document, what relationship  
22 does Babatunde Popoola have to this 5127 account?

23 A Sole owner.

24 Q And on the left side of the screen I'm putting back up the  
25 deposit slip we just looked at. And on the right side of the

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 screen I'm keeping the signature card. Ma'am, are those the  
2 same account numbers there?

3 A Yes.

4 Q Staying on the right side, do you see on this page where it  
5 again list the name of Babatunde Popoola?

6 A Yes.

7 Q And do you see a signature down there at the bottom of the  
8 page?

9 A Yes.

10 Q I think we're done with the documents. I do have another  
11 question for you, though. In total, ma'am, and without the  
12 \$4000, approximately \$4000, \$5000 for the airline ticket and  
13 then the \$30,000 that you sent on to Grace Auto at the request  
14 of David Watson, was there any other money in total that you  
15 sent at all to David Watson?

16 A Yes, I sent another check for 16,000, I guess that was  
17 probably in May of 2014.

18 Q Would that be after the \$30,000 check that we just looked  
19 at?

20 A Yes, yes.

21 Q What happened to that money?

22 A I received it back.

23 Q Did you receive it back from Mr. Watson or from somebody  
24 else?

25 A I received it back from Wells Fargo.

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 Q From the bank itself?

2 A Yes.

3 Q Okay. What's your understanding as to how you got that  
4 money back?

5 A The lady from Wells Fargo told me that they had a large  
6 amount of transactions coming through for this particular  
7 company and I guess they got suspicious and started  
8 investigating and found that it was --

9 Q Ma'am, I'm going to stop you right there, actually. I'm  
10 sorry to interrupt. Regardless of what you were told by the  
11 bank, right --

12 THE COURT: Ladies and gentlemen, I want you to  
13 disregard the last comments about what, what she may have been  
14 told by the bank and let's move forward please.

15 BY MR. WINDOM:

16 Q Ma'am, regardless as to what you were told, it's fair to  
17 say you had a conversation of some sort with somebody at the  
18 bank, correct?

19 A Yes.

20 Q Okay. As a result of that conversation, your understanding  
21 was that the bank returned the money?

22 A Yes.

23 Q Thank you.

24 MR. WINDOM: Court's indulgence for just a moment,  
25 sir.

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 THE COURT: Yes, sir.

2 MR. WINDOM: Oh, I'm sorry. I need to move the  
3 admission of MBA 4?

4 THE COURT: MBA 4?

5 MR. WINDOM: Yes, sir.

6 THE COURT: Any objection?

7 MR. WINDOM: Yes, Mr. Kramer, it's not one of the ones  
8 I e-mailed you about last night.

9 MR. KRAMER: May we approach again please?

10 THE COURT: Come on up.

11 (Bench conference.)

12 THE COURT: Sir.

13 MR. KRAMER: Yes, I understand the next exhibit is  
14 Mr. Popoola's photo from --

15 THE COURT: Your client's photo?

16 MR. KRAMER: Yes.

17 THE COURT: From the MVA license?

18 MR. KRAMER: Yeah. We're trying to find out what the  
19 relevance of that is.

20 MR. WINDOM: Putting a face to a name, we're going to  
21 be talking about this name and the defendant is sitting right  
22 there.

23 THE COURT: So let me see if I understand. If she's  
24 not able to authenticate that -- she's never seen it before,  
25 right?



**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 MR. WINDOM: It's a certified business record, so in  
2 terms of authentication, there's no issue, but she's never seen  
3 it before, Your Honor.

4 THE COURT: All you want to do is show it to her and  
5 say, have you ever seen this person before.

6 MR. WINDOM: I'm going to show it to her and I'm going  
7 to ask her if the name on the MVA -- underneath the MVA photo is  
8 the same as on the check and on the information that we've just  
9 looked at. And I'm happy to ask her if she's ever -- if she  
10 knows the guy. I think I asked her that about the name, but I  
11 can ask her about the face.

12 THE COURT: All right. Well, it's a certified copy.  
13 It's clearly relevant as part of what the government is proving  
14 in terms of the identification of the person, connecting it up  
15 with the bank account, connecting it up with the money. There  
16 are other intermediate pieces that are obviously going to be  
17 necessary and if we should get to the point where they do not  
18 connect it up, then I will strike the admissibility of the  
19 drivers license and direct the jury to not consider it.

20 But right now, the government has identified the  
21 purpose for which if under intermediate facts were established,  
22 then it would be relevant and, therefore, under the Federal Rule  
23 of Evidence 104(b), conditional relevance, they've established  
24 at least that much.

25 So in terms of the identification once it's admitted,

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 this is going to be used to identify a name that the exhibit  
2 will be in evidence and, of course, the government can ask it  
3 and you can ask it. I suspect that she will say she never met  
4 the person. The objection is overruled.

5 MR. EISELE: Your Honor, Your Honor --

6 MR. KRAMER: If I may --

7 MR. EISELE: Oh, go ahead.

8 MR. KRAMER: Go ahead.

9 MR. EISELE: I just want to address something before  
10 we left the bench that would save time. This is an account  
11 dealing with Mr. Kramer's client, but -- and so I think he'll  
12 handle the cross-examination, but I am going to ask one  
13 follow-up question of the witness. We're generally trying to  
14 consolidate, but I just wanted to ask one question --

15 THE COURT: I always acknowledge that there might be  
16 individualized further cross, but then it would be --

17 MR. EISELE: Limited.

18 THE COURT: -- laser focused rather than broad brushed  
19 and I suspected that Mr. Kramer would do the cross because it's  
20 his -- primarily his witness.

21 MR. EISELE: Okay, thanks.

22 MR. KRAMER: Your Honor, if I stipulate that the bank  
23 account in the name of Mr. Popoola is the Popoola here, then  
24 there would be no need to introduce the photograph to show that  
25 he's the one that's --

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 THE COURT: It's his burden of proof. He's got to  
2 prove his case.

3 MR. KRAMER: I understand that.

4 THE COURT: That's exactly what -- hold on a second,  
5 Mr. Kramer.

6 That's exactly what the Supreme Court said in *Old*  
7 *Chief* is that you can't force a stipulation on your adversary  
8 that prevents them from introducing evidence that they believe  
9 is the most probative evidence to prove that which they have to  
10 prove.

11 So I think that I've already ruled and we don't need  
12 to spend anymore time on this. You know what you can develop on  
13 cross-examination, so let's go back and get it on so the jury  
14 can have their break before we have cross. And you'll have an  
15 opportunity during the break to look at your notes before the  
16 cross.

17 (Open court.)

18 MR. WINDOM: Just for the record, I'm now moving the  
19 admission of MVA 4.

20 THE COURT: It's in, it's admitted.

21 BY MR. WINDOM:

22 Q Ma'am, I'm showing you MVA 4. Now, the name on the check  
23 that we just looked at was Babatunde Popoola. Do you see that  
24 same name on this photograph?

25 A Yes.

**CAROLYN ELINGBURG - DIRECT EXAMINATION**

1 Q And I'm going to enlarge the pictures here for Babatunde  
2 Popoola. Do you recognize this person at all?

3 A No, I don't.

4 Q You ever seen this person in your life as far as you know?

5 A No, I haven't.

6 MR. WINDOM: Okay. I've got no further questions for  
7 this witness, Your Honor.

8 THE COURT: Before we start cross-examination, it's  
9 11:00 when I said that we would take our break. So let's take  
10 our break, 15-minute break. We'll be back in court not later  
11 than 11:15 on the dot.

12 (Jury out.)

13 THE COURT: All right. Everybody have a seat.

14 Ma'am, in between now and when we come back, there's  
15 some more questions that the lawyers have, so please don't  
16 discuss your testimony with anyone. And I don't think we'll be  
17 all that much longer before we'll be able to excuse you, all  
18 right.

19 THE WITNESS: Okay.

20 THE COURT: And we'll take a 15-minute break.

21 MR. WINDOM: Thank you, sir.

22 (Brief recess.)

23 THE COURT: All right. Everybody have a seat please.

24 Ma'am, I just want to remind you you're still under  
25 oath. Please answer the questions that Mr. Kramer has for you.

**CAROLYN ELINGBURG - CROSS-EXAMINATION**

1 CROSS-EXAMINATION

2 BY MR. KRAMER:

3 Q Good afternoon.

4 A Hi.

5 Q I'm Paul Kramer. I represent one of the people on trial  
6 today, Mr. Babatunde, all right. So I'll be asking some  
7 questions just to clear up certain issues that may or may not be  
8 raised for the jury.

9 Now, the individual you were dealing with gave you a name  
10 and you weren't sure of his nationality; is that correct?

11 A Yes.

12 Q All right. And he sent you photographs of himself? You  
13 said he was very handsome.

14 A He sent me photographs.

15 Q Well, whoever was on -- the voice on the other end?

16 A Yes.

17 Q And that was a white male, very handsome?

18 A Yes.

19 Q I'm asking what you said.

20 And you had numerous conversations from him and he  
21 presented himself as a very sophisticated person who was, I used  
22 the word entrepreneur, who could raise millions in a venture in  
23 China; is that correct?

24 A That's correct.

25 Q All right. And based on that you say he was very smooth

**CAROLYN ELINGBURG - CROSS-EXAMINATION**

1 talking now with hindsight?

2 A Yes.

3 Q And very smart?

4 A Yes.

5 Q And somewhat sophisticated?

6 A Yes.

7 Q All right. And no question after his conversations, you  
8 completely believed everything he had to say, very trustworthy.

9 You trusted him?

10 A Yes, I did.

11 Q All right. And no question he deceived you?

12 A That's correct.

13 Q All right. And I assume that, that you're not easily  
14 deceived, but he did it?

15 A Correct.

16 Q All right. Now, based on that you sent him a large sum of  
17 money, based on what he was telling you and the way he did it  
18 and how he -- I'll use the words -- set you up to scam you. No  
19 question about that?

20 A Right.

21 Q All right. Now based on that, you sent him \$30,000 at his  
22 direction?

23 A Yes.

24 Q All right. And you sent it to Grace Auto, is that right?

25 A Yes.

**CAROLYN ELINGBURG - CROSS-EXAMINATION**

1 Q All right. And Grace Auto, the company you sent the  
2 \$30,000 and you see it up on the screen?

3 A Yes.

4 Q No dispute about that. And it went into an account by  
5 going to Grace Auto by Mr. Olla and they showed you these bank  
6 accounts?

7 A Yes.

8 Q All right. Now, to relieve you of any tension, Mr. Olla is  
9 not on trial today.

10 A Okay.

11 MR. KRAMER: He was charged, but --

12 MR. WINDOM: Objection, Your Honor.

13 THE COURT: Sustained, sustained, sustained. Keep  
14 going.

15 MR. KRAMER: Well, I want to --

16 THE COURT: Well, you're not going to if I say,  
17 sustained. Keep going.

18 BY MR. KRAMER:

19 Q Now, the money went into Mr. Olla's account, no question  
20 about that. Excuse me. And then from his account it was then  
21 deposited into 20 -- not the 30, 28,855 was then transferred  
22 into an account of Mr. Babatunde, all right.

23 I'm asking what the government showed you.

24 Now, you don't know -- and then a check in the amount of  
25 28,851 of Grace Auto, Grace Auto was sent to Mr. Babatunde and

**CAROLYN ELINGBURG - CROSS-EXAMINATION**

1 on there it says what, for what reason?

2 A Cars, it looks like.

3 Q Cars.

4 All right. So it's an auto dealership, allegedly an auto  
5 dealership owned by Mr. Olla who you sent money to, who is  
6 sending Mr. Babatunde -- and they showed you his picture.

7 There's no dispute that the money was sent to him by check and  
8 then deposited by Mr. Popoola into his own account, all right.

9 Now, do you have any knowledge of why Mr. Popoola might  
10 have been owed money by Mr. Grace --

11 MR. WINDOM: Objection, Your Honor.

12 MR. KRAMER: -- Grace Motors?

13 THE COURT: Overruled. The question is, do you have  
14 any reason to know why that money was sent to the person who it  
15 was sent to?

16 THE WITNESS: No.

17 BY MR. KRAMER:

18 Q And then they showed you a picture of Mr. Popoola's  
19 license. Show you a picture and you've never seen him before,  
20 you said?

21 A No, I have not.

22 Q All right. Were you ever shown any pictures of Mr. Olla by  
23 the government?

24 A No.

25 Q They never showed you who --



**CAROLYN ELINGBURG - CROSS-EXAMINATION**

1 Thank you very much. Have a safe trip home.

2 MR. KRAMER: I have no further questions.

3 THE COURT: Thank you.

4 Mr. Eisele, did you have a question, sir?

5 MR. EISELE: Just two really quick questions, Your  
6 Honor.

7 THE COURT: Quick or not, go ahead.

8 CROSS-EXAMINATION

9 BY MR. EISELE:

10 Q First of all, your southern accent is better than mine, so  
11 thank you for that.

12 Just briefly, you had mentioned a transaction toward the  
13 end of your relationship in the amount of about \$16,000, is that  
14 right?

15 A Yes.

16 Q And just to be clear, that was to -- that was requested by  
17 David Watson?

18 A Yes.

19 Q But that was to a different account, isn't that right?

20 A Yes.

21 Q Okay. And just to be clear, through court today or any of  
22 your other experiences, have you ever met or learned of or know  
23 of Benson Ogundele? Do you know who that is?

24 A No.

25 MR. EISELE: No other questions, Your Honor.

**CAROLYN ELINGBURG - CROSS-EXAMINATION**

1 THE COURT: All right. May the witness --

2 Oh, I'm sorry, redirect?

3 MR. WINDOM: Just briefly, Your Honor.

4 REDIRECT EXAMINATION

5 BY MR. WINDOM:

6 Q Ma'am, Mr. Kramer showed you the documents that we had  
7 looked at earlier; the \$30,000 check that you sent and then the  
8 \$28,855 check to Babatunde Popoola. Do you remember seeing  
9 those exhibits a moment ago?

10 A Do I what?

11 Q Do you remember seeing those exhibits a moment ago?

12 A Yes.

13 Q Now, when Mr. Watson asked you to send that \$30,000, did he  
14 say anything about wanting to buy cars from Babatunde Popoola?

15 A No.

16 MR. WINDOM: Thank you. I have no further questions,  
17 Your Honor.

18 THE COURT: May the witness step down? Is she free to  
19 go?

20 MR. WINDOM: Yes, sir.

21 THE COURT: Ma'am, thank you very much. You're free  
22 to go. The trial is ongoing so please do not discuss your  
23 testimony with anyone who may be a witness and you are free to  
24 go about your business.

25 THE WITNESS: Thank you.

1 (Witness excused.)

2 (Whereupon, further proceedings were reported, but are not  
3 herein transcribed.)

4 MR. WINDOM: At this point, we would call Angie  
5 Kennard.

6 THE COURT: Come forward please, ma'am, and just step  
7 right up here in front of our courtroom deputy.

8 ANGIE KENNARD, GOVERNMENT WITNESS, SWORN

9 THE DEPUTY CLERK: Thank you. Please be seated.  
10 Speak directly into the microphone, state your first and last  
11 name and please spell your last name.

12 THE WITNESS: Angie Kennard, K-E-N-N-A-R-D.

13 THE COURT: All right. Ma'am, let me just go through  
14 the rules of the road for you. Just take your time, take a deep  
15 breath here and there's some water in the jug in front of you  
16 and some cups there that you can put it in.

17 When you are testifying, we'd like you to listen  
18 carefully to the questions the lawyer is asking. If the  
19 question isn't clear, tell me so I can make sure it's clear  
20 before you have to answer it. Please answer based on your own  
21 personal knowledge and not speculation or what someone else told  
22 you.

23 And if someone ask you to look at a document, an  
24 e-mail, a photograph, an exhibit, a letter and you need some  
25 time to look at it to make sure you can answer it accurately,

**ANGIE KENNARD - DIRECT EXAMINATION**

1 take your time if you need to do that.

2 And please keep your voice up so that our court  
3 reporter and our jury can hear, and speak slowly enough so that  
4 our court reporter can take down verbatim what you are saying,  
5 all right, ma'am.

6 THE WITNESS: Okay.

7 THE COURT: All right.

8 DIRECT EXAMINATION

9 BY MS. BRESSACK:

10 Q Ms. Kennard, good afternoon.

11 A Hi.

12 Q Where do you currently live?

13 A In Falls Church, Virginia.

14 Q And how long have you lived in Falls Church, Virginia?

15 A For about six years.

16 Q Okay. Do you know someone by the name Donald Griffin?

17 A Yes, I do.

18 Q Okay. And how do you know that individual?

19 A He's my father.

20 Q Okay. Did Donald Griffin recently pass away?

21 A Yes, he did.

22 Q And about when did he pass away?

23 A In June of this year.

24 Q Okay. Now, I want to take you back in time. Back in 2014,  
25 was your father, Donald Griffin, living in Arizona.

**ANGIE KENNARD - DIRECT EXAMINATION**

1 A Yes, he was.

2 Q And where in Arizona was he living?

3 A He lived in Sun City West, Arizona.

4 Q Okay. And was he living -- what kind of place was he  
5 living in?

6 A He was living in a house with his brother.

7 Q Okay. And was he living there with anyone else at the  
8 time?

9 A No, just his brother.

10 Q Was your father ever married?

11 A He was.

12 Q And how long was he married? Who was he married to?

13 A So, he was married and divorced three times.

14 Q And in Arizona, did he have any other relationships in  
15 addition to being married three times?

16 A No, not in Arizona.

17 Q Now, in 2014, at the time your father was living in  
18 Arizona, did there come a time when you reached out and  
19 contacted the FBI?

20 A Yes.

21 Q Okay. And why did you reach out and contact the FBI?

22 A I went to my dad's house to visit in summer of 2014 and in  
23 going through his room and his phone and e-mail and paperwork, I  
24 saw that he was being scammed significantly.

25 MR. KRAMER: Objection.

**ANGIE KENNARD - DIRECT EXAMINATION**

1 BY MS. BRESSACK:

2 Q It was your belief that he was being scammed?

3 THE COURT: Yeah, I'm going to sustain the objection  
4 as to the conclusion, but the jury is to understand this is a  
5 conclusion that she drew based on what she -- offered to explain  
6 to you why she went to the FBI, but do not accept it for the  
7 truth of any conclusion that she expressed as to whether he was  
8 actually being the subject of some sort of a scam or not, all  
9 right.

10 BY MS. BRESSACK:

11 Q So you mentioned that when in 2014 you looked at some of  
12 your father's stuff, it made you believe he was being scammed.  
13 What were you looking at that led you to that conclusion for  
14 yourself?

15 A He had notebooks on his desk that said, loans to Mary with  
16 a dollar amount, large dollar amounts that he was wiring and  
17 transferring through his bank accounts. He had bank statements,  
18 his retirement account statements where you could see large  
19 transfers of money going from his retirement account to his bank  
20 accounts. And then I looked through his e-mails and saw all the  
21 various requests from this person called Mary online asking for  
22 money.

23 Q And how were you able to access your father's e-mail  
24 account?

25 A My cousin distracted my dad in the living room and I went

**ANGIE KENNARD - DIRECT EXAMINATION**

1 through his room and looked around, and went through his phone,  
2 went through his paperwork and went through his e-mail account.

3 Q And how could you access his -- your dad's e-mail account?

4 A His computer was wide open and he uses his e-mail all the  
5 time because, you know, he's looking at political letters. He's  
6 e-mailing this person back and forth, so his e-mail account was  
7 wide open. So I just went in there and I forwarded some of the  
8 e-mails to myself.

9 Q And in 2014 when you were visiting your dad, was your dad  
10 still working?

11 A No.

12 Q Okay. Was he retired?

13 A He was retired, yes.

14 Q And what did he do before he had retired?

15 A He basically invested in the stock market. And prior to  
16 that, many, many years ago, he was a commercial construction  
17 business owner.

18 Q And in 2014, when you visited your dad's house and  
19 discovered these different items that led you to believe that he  
20 was being scammed, approximately how old was your dad?

21 A In 2014, he would have been 79.

22 Q Now, fast forwarding a little further from the summer of  
23 2014, did there come a time in 2015 when something happened to  
24 your dad?

25 A Yes, my dad had a stroke and he was found by the property

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1 manager because he had sold his house and was living in a  
2 month-to-month apartment. He was found by the property manager  
3 because she hadn't been able to reach him for his rent. And  
4 then she called the ambulance and they took him to the hospital.  
5 He had a stroke and, basically, he lost 95 percent of his memory  
6 and I flew out there to help him.

7 Q And so when you flew out to visit your dad in -- was that  
8 around September of 2015?

9 A Yes, the end of August, early September.

10 Q And when you flew out there around that time frame in 20 --  
11 in 2015, your dad was no longer living at the house?

12 A Correct. He was living in a month-to-month apartment. He  
13 had sold his house.

14 Q And were you aware that he had sold his house?

15 A Yeah, he told me that he was selling his house because he  
16 didn't have any money.

17 MR. KRAMER: Objection, Your Honor.

18 THE COURT: Sustained.

19 Disregard the answer to the question please.

20 BY MS. BRESSACK:

21 Q It was your understanding that he had sold his house?

22 A Yes, and I saw the sales paperwork.

23 Q Now, after your father had the stroke, did you have to pack  
24 up any of his belongings at his apartment that he was renting?

25 A Yes, I packed up all of his belongings and moved a lot of



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1 it to storage. He had a storage unit as well.

2 Q And during the course of packing up his belongings at that  
3 apartment in September of 2015, what items did you discover that  
4 further confirmed what you had originally believed was happening  
5 to your dad?

6 A I saw receipts from money wires through Money Gram and like  
7 through Wal-Mart. I saw additional bank statements. I was able  
8 to take my time and read through all of the e-mail accounts. I  
9 had to make phone calls and try to handle his financial affairs.  
10 I saw many, many bills. He probably had about \$50,000 worth of  
11 credit card debt. At the time, you know, he was trying to  
12 extend monthly payments and he just, you know -- and basically,  
13 he was living off of almost nothing. He was eating Ramen  
14 noodles in the refrigerator and you could tell that he was just  
15 struggling financially to figure out how he was going to live.

16 Q And was that different from the way you had seen your dad  
17 living in 2013 or 2014?

18 A Yeah. He -- you could tell that he was just scared that  
19 his money was running out. You know, just looking at the money  
20 transfers, it definitely started somewhere around the 2013 time  
21 frame where I think he had over \$700,000 in his retirement  
22 account and it just dwindled down to -- I saw \$30,000 in his  
23 bank account when I had to pack everything up.

24 Q And when you went to visit him at the apartment, did you  
25 see any kind of photographs of a woman at the apartment?

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1 A Yeah, there was one photograph he had in a frame of a  
2 blonde 35-year old woman who he believed was Mary, Mary Blake.

3 Q And why did you think that he believed that that was Mary  
4 Blake?

5 A Cause the e-mails indicated Mary Blake and the same name.  
6 And then next to the photograph, he had, like, little parts and  
7 he had a big teddy bear for Mary Blake's daughter who supposedly  
8 was named Betty.

9 Q So all of those facts led you to conclude that this  
10 photograph was of this woman representing herself to be Mary  
11 Blake?

12 A Yes, the e-mails and in the e-mails there was also a photo  
13 representing the same person.

14 Q Okay. Now, after your father had the stroke, did you at  
15 that point take over his e-mail account?

16 A Yes, I did.

17 Q Okay. And when you did that, did you change the password  
18 or keep the password as it was?

19 A I changed the password so that I could access the account  
20 going forward.

21 Q Okay. And going forward, once you were in the account,  
22 what if any efforts did you make to contact Mary Blake?

23 A I e-mailed pretending I was my father just to keep the  
24 conversation going so that hopefully, you know, the FBI could  
25 take action. I pretended like I was my dad, like I was still in

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1 love with her and that, you know, things are okay but I was  
2 struggling for money and I wanted to see her. And it -- that  
3 continued the conversation, basically, up until, you know,  
4 several months before he passed.

5 Q And during the time that you were e-mailing with Mary  
6 Blake, what if any requests did she make for money?

7 A There were two separate requests that she asked for money.  
8 One time she wanted -- or this person wanted me to send money to  
9 Brides by NoNa, I think was the account. It was a Bank of  
10 America account. And then the second time there was another  
11 request for funds to be sent. So, they basically sent two  
12 different account numbers.

13 Q Now, when you said that at some point when you took over  
14 your father's account, you started reviewing the e-mails that  
15 had occurred before you had accessed the account, is that right?

16 A Yes.

17 Q Okay. And once you collected those e-mails that had been  
18 sent by your father to Mary Blake, did you provide those e-mails  
19 to the FBI?

20 A I did, yes.

21 Q Okay. And right in front of you is an exhibit marked as  
22 DJ1 -- DG1. Do you see that?

23 A Yes, I do.

24 Q Okay. Would you mind reviewing that and tell me whether  
25 you recognize that series of e-mails as one of the series of

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1 e-mails that you collected and provided to the FBI?

2 A Yes, I provided this e-mail to the FBI.

3 Q And just to be clear, was that e-mail -- how did you get  
4 the copy of that e-mail or that series of e-mails?

5 A I logged into the e-mail account and retrieved it.

6 Q From your father's e-mail?

7 A From my father's e-mail account.

8 MS. BRESSACK: Your Honor, at this point, we would  
9 move to admit DG1.

10 THE COURT: Any objection?

11 MR. EISELE: No, Your Honor.

12 THE COURT: It's admitted.

13 BY MS. BRESSACK:

14 Q Okay. Now I'm going to -- I'm going to zoom in on a few  
15 things, so give me one second, okay.

16 Focusing on what I've put to the left of -- to the right of  
17 the screen, do you see that that starts with "my love"?

18 A Yeah.

19 Q Okay. Let me start out by asking you, do you see this  
20 e-mail account that's listed on the top of this that I just  
21 highlighted right now?

22 A Yes, I do.

23 Q Okay. And do you recognize that e-mail address?

24 A Yes, I do.

25 Q And how do you recognize this e-mail address,

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1 MaryBlake123@yahoo.com?

2 A This is the e-mail address that I saw over and over again  
3 in my dad's e-mail account.

4 Q And what's the date of this particular e-mail?

5 A October 25th, 2013.

6 Q And I note it went over on to two pages, so I went ahead  
7 and condensed it on to one screen on the right. Would you mind  
8 reading this e-mail from Mary Blake?

9 A "My love, I can't stop telling you how much I love you  
10 because it's all that matters in the end. We are at a strong  
11 stage of our lives. Surely, we will pull together and pull  
12 through my love. Our love is a different emotional attachment.  
13 Many people wonders even here at man workplace. Donald is a  
14 common name. Some felt we are married already.

15 There is no place like to be by your side. I am not afraid  
16 of falling. I am not afraid of being -- I'm sorry. "I'm not  
17 afraid of anything that happens here. Once I'm with you, we  
18 will be happy even if we don't have all we want, but my feelings  
19 won't allow me. I didn't meet you in debt. I will never put  
20 you in one.

21 You formed a good life, the kind I want for myself. I'll  
22 only add to your success, not pull it back. It's important that  
23 we are debt free and have a base with which we can come from a  
24 formidable plan for our home of our dreams, for our love we  
25 talked about and for the peace we will get.

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1 We will get the money. We will be together and we will  
2 invite everyone to celebrate our success. Let me see the look  
3 on their faces.

4 Donald, I admit I have stumbled on to the finish line. I'm  
5 not through yet, but it remains a few work and every other  
6 finishing procedures, and I will be through to come home. Here  
7 is the finish line. I have to just cross it. I have to cross  
8 it. I have just got here with so much work and perseverance,  
9 endurance and skill. Just a few more steps and our story will  
10 change forever.

11 My love, Donald, irrespective of your feelings right now,  
12 how sad we both are about the turn things took or what people  
13 say, or the difficulty we are in. Honey, please give me one  
14 more chance, my love. I am almost through. Just need the  
15 general finishing, then some little things here and there and  
16 I'm all set.

17 I don't know which word I can say to make you try for more  
18 at the most important time. Everything we went through,  
19 everything. I can't sleep at night without Donald. Babe,  
20 please give me this chance, do this for me and don't do anything  
21 else until the money is in our hands.

22 I know it's getting harder getting the money. This is our  
23 last life line. To me, here is the easiest part. If I don't  
24 get this right, then don't entrust me with anything now. And  
25 again, it's Friday here and tubs are arriving already. Please,

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1 Donald, just this and nothing will stand between us and the  
2 money.

3 If I can possibly get it on or before Monday, by Friday we  
4 will have our money in our hands and me on the way home, Donald.  
5 If this fails, then don't just give me any chance again. My  
6 heart, please consider my plea. It's important you do because  
7 it's important for us. Love you, Mary."

8 Q Okay. And let me pull up the second e-mail now.

9 Now, at the top of this particular e-mail, what's the date  
10 of this e-mail?

11 A Friday, October 25th, 2013.

12 Q And then there's an e-mail address associated with who  
13 wrote this e-mail. Do you recognize that e-mail address?

14 A Yes, that's my father's account.

15 Q Okay. And would you mind reading this particular e-mail  
16 response by your father?

17 THE COURT: Ma'am, you need to slow down the pace if  
18 you don't mind.

19 THE WITNESS: Okay. "My Dearest Mary, above all else  
20 I want you to succeed, my love. Your owner scares me as they  
21 might not pay you even after you finish. Have they not ever  
22 paid a contractor after he finished the work? Are they  
23 connected to the government?

24 Your text indicated that you had only had procedural  
25 items left. That is, usually operating manuals and system

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1 manuals which your supplier supply. What field work is left?  
2 What do you need to do that isn't finished? Have the major  
3 items been signed off by the inspectors as final?

4 When I send you the 30,000, it cleans me out and I'm  
5 scared I will go bankrupt and lose the house anyway if I don't  
6 soon pay these loans. You must understand that I don't have an  
7 income, just the savings that are left and 90 percent was sent  
8 to you already. What happens if they don't pay for some reason,  
9 we would not have funds to sue them even.

10 You were so sure 30,000 would finish the work, but it  
11 didn't. Could that happen again? You say, if you don't get  
12 this right this time, don't give you anymore money. That's what  
13 I did the last time and you fell short of money. Who makes your  
14 dollar --

15 Who makes your estimates of dollar amounts needed? Do  
16 you do that yourself? You plea for money. How much and how  
17 sure are you that this will be enough?

18 If I were there -- if I was there and you were here,  
19 would you have given your life savings and loans to me not  
20 having even met? Have a couple of errands to run. Be back in  
21 one to two hours. I love you no matter what my Mary Joyce.  
22 Donald."

23 Q Okay. I'll zoom in on the next series of responses. And  
24 again, at the top of this particular e-mail, do you see the same  
25 date that you're seeing on the other e-mails?



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1 A Yes, I do.

2 Q Okay. And is this from Mary Blake123@yahoo.com.

3 A Yes, it is.

4 Q And that's the e-mail you recognize?

5 A Yes.

6 Q Okay. Would you mind reading this one as well?

7 A "My love, when you talk like this, it crops up something in  
8 my heart. For every cent I am reluctant as ever to receive,  
9 because I am drawing from my future to pay my present. If  
10 things didn't go right, we would inevitably be paying a lot by  
11 then. It won't be monetary alone anymore.

12 I don't want anything to happen to the house you have  
13 painstakingly built. I don't want anything to happen to us or  
14 our happiness, but with this much money, your fears are  
15 rational. The only edge I got is I am here and I'm fully  
16 involved in this. I can see the procedures crystal clear.

17 People are getting paid on daily basis. A lot have  
18 received their payment on the finished job. The rules are  
19 strict and straight, but the check compensates for the bends and  
20 twist.

21 Donald, there won't be any reason for any legal battle.  
22 This is a massive project with everybody closely guided by  
23 business laws. Besides, the check part is the simplest part.  
24 It's just getting the work done. I just need to cross my "t"  
25 and dot my "i", fill linkage between the job, evacuations and

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1 preparations for the cite for approval, so it is not really an  
2 undone work. Just some finishing touches on few units and  
3 generally preparing my work done to a finished state.

4 12-K is all I need now to get this done for good. Nothing  
5 more can come up after this. It's impossible. It's this and we  
6 are done here. If I would have done the same for you. Donald,  
7 I guess you don't know the love I have for you, how much I love  
8 you, Donald. You owe me and everything I have. You own me and  
9 everything I have. What is money compared to the love I have  
10 for you.

11 As long as you'll sleep beside me, even if it's a church  
12 shelter, you stay by my -- you stay by me and won't leave me on  
13 no account. So far we would be together for anything that comes  
14 my way. My heart, you have it all.

15 Once I get my checks here, you'll be in charge of every  
16 single cent, so I don't get us into trouble again. I won't make  
17 any single decision without your full approval. You'll own  
18 everything I'm working for here. Give me a week and I'll show  
19 you what you mean to me, love Mary."

20 Q Now we're going to move from page 2 back to page 1 and I'm  
21 going to make one section larger.

22 Okay. So first, before we go to the top of the e-mail, do  
23 you see an e-mail here on the bottom that's from October 26,  
24 2013, at 5:11 p.m.?

25 A Yes.

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1 Q And do you -- again, do you recognize that e-mail account  
2 as your father's?

3 A Yes, I do.

4 Q Okay. Could you read just a little bit that I've included  
5 here?

6 A "My Dearest Mary, I've read your last e-mail several times  
7 now and as usual you win. I can't say no to you even if I  
8 should. To send you that amount of money, I have to sell  
9 something first. I have to sell something first thing Monday  
10 together with another small check should give me enough.

11 The big but is, that money was supposed to pay off another  
12 of your loans due. So that means to send money to you, I have  
13 to --

14 Q And I'll cut you -- we'll just stop right there. And then  
15 if you could just look at the e-mail right above it, the  
16 response from Ms. Blake. What date are we looking at now at the  
17 top?

18 A October 28, 2013.

19 Q So a few days after the e-mail we just read?

20 A Yes.

21 Q Okay. And who sent this particular e-mail?

22 A Mary Blake.

23 Q Okay. And could you read what this particular e-mail from  
24 Mary Blake says on October 28?

25 A It says, "Bank of America, GO Benson Group, LLC account

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1 446028667607; routine 052-00-1633; city, Laurel; state,  
2 Maryland. Love you."

3 Q Okay. And let me -- let me pull up two documents on the  
4 screen. I'm pulling up on the right side BOA3-A, which has  
5 already been admitted. And then I'm going to enlarge the e-mail  
6 we've already been looking at.

7 So on the right side of the screen, just to be clear what  
8 we're looking at, could you read what kind of document we're  
9 looking at here on the right side of the screen?

10 A Bank of America, NA; the bank business signature card with  
11 Substitute Form W-9.

12 Q Okay. And what's the account title associated with this  
13 particular document?

14 A GO Benson Group, LLC operating account.

15 Q And how does the name GO Benson Group, LLC compare to the  
16 name of the account to which Mary Blake e-mailed on the left  
17 side of the screen?

18 A It's the exact same.

19 Q Okay. And going down to one more item here, do you see  
20 that there's a name and title associated with this particular  
21 GO Benson Group? Do you see that?

22 A Yes.

23 Q And what's the name and title?

24 A Gbenga Benson Ogundele.

25 Q And what's the title if applicable?

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1 A Member manager.

2 Q Okay. And is there an account number associated with this  
3 particular document on the right side of the screen?

4 A Yes.

5 Q And how does the account number on the right side of the  
6 screen on BOA3-A, Bank of America 3-A compare to the account  
7 number that was provided by Mary Blake to your father in that  
8 e-mail on the left side of the screen?

9 A The account number is the exact same.

10 Q Okay. And pulling up what's already been introduced as  
11 MVA1. How does the name on MVA1 compare to the name associated  
12 with the document on the right side of the screen?

13 A The name is the exact same.

14 Q Okay. Now I'm going to keep this DG1 e-mail on the left  
15 side of the screen that's dated October 28th.

16 MS. BRESSACK: And at this time, Your Honor, I would  
17 move to admit E-mail 1-134?

18 THE COURT: Any objection?

19 MR. EISELE: No, Your Honor.

20 THE COURT: It's admitted.

21 BY MS. BRESSACK:

22 Q Okay. So let me make this big on the screen. Do you see  
23 what I just made larger on the right side of the screen?

24 A Yes.

25 Q Okay. And what's the date on the very top of the e-mail I

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1 just pulled up on the right side of the screen?

2 A Tuesday, October 29, 2013.

3 Q And is that the day after the e-mail that we see on the  
4 left side of the screen to your father?

5 A Yes, it is.

6 Q Okay. And do you see that there's an attachment with this  
7 particular e-mail on the right side of the screen?

8 A Yes, I do.

9 Q Okay. And what's the subject of this e-mail?

10 A It's, "the slip".

11 Q Let me pull up that attachment.

12 So first of all, do you see the name that's listed on page  
13 2 of this e-mail, the attachment?

14 A Yes, I do.

15 Q Okay. And how does the name that I just highlighted on the  
16 right side of the screen, which is the e-mail, compare to the  
17 name that your -- Mary Blake provided to your father in the  
18 e-mail on the left side of the screen?

19 A It is the exact same.

20 Q Okay. And how about the account number on the right side  
21 of the screen that's in the e-mail compared to the account  
22 number that Mary Blake provided to your father on left side of  
23 the screen?

24 A It's the exact same.

25 Q Okay. And just to be clear, before we turn to the next

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1 page, what's the amount?

2 Let me actually try that again.

3 What's the amount of cash that's listed on this particular  
4 slip?

5 A \$6000.

6 Q And going to the third page, exhibit of this particular  
7 thing, do you see a picture here?

8 A Yes, I do.

9 Q And it's picture of a chicken?

10 A Yes, it is.

11 Q Okay. Now going to the bottom the screen.

12 And tell me if you can read it. If not, I can make it a  
13 little bigger. Let me actually start off by putting it like  
14 this.

15 Okay. So first of all, do you see the top of this, the  
16 part that says "dear" and then it has a name?

17 A Yes.

18 Q Okay. And is it dear who?

19 A Dear Betty.

20 Q And during the course of looking through the e-mails  
21 between your father and Mary Blake, did you come across the name  
22 Betty?

23 A Yes, several times.

24 Q Okay. And what was your understanding of who Betty was?

25 A Betty was the daughter of Mary Blake.

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1 Q Okay. And looking at the date on this particular note at  
2 the bottom of this picture, how does the date on this note  
3 compare to the date of the e-mail where Mary Blake provided bank  
4 account information to your father?

5 A It's the day after, so it's October 29th, 2013.

6 Q Okay. And are you able to read the note that comes -- that  
7 I attempted to make bigger? If not, I can attempt to make it  
8 even bigger.

9 A Yes, it says, "Dear Betty, tell your mother how long it  
10 takes you to get start to finish, question mark, Donald."

11 Q Now, do you recognize the handwriting that you see here at  
12 the bottom of this picture?

13 A Yes, that's my father's handwriting.

14 Q And again, just going back to the first page that had  
15 the -- this attachment with it. Could you tell us who the  
16 e-mail was sent from and who it was sent to?

17 A The e-mail was sent from Rabiou Shuaibu,  
18 R.sultan79@yahoo.com and the e-mail was sent to  
19 D-M-U-K-K-Y@yahoo.com.

20 Q Okay. And on the left side of your screen I'm going to put  
21 up what's already been admitted as EM10. Do you see this is a  
22 Yahoo document?

23 A Yes.

24 Q And do you see that same e-mail here, Dmukky@yahoo.com?

25 A Yes, I do. It's the exact same.



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1 Q And could you read the full name that's associated with  
2 that Yahoo account?

3 A Mr. Mukky Danjuma.

4 Q And is there a country associated with Mr. Danjuma on this  
5 document?

6 A Yeah, country, Nigeria.

7 MS. BRESSACK: Okay. At this point, Your Honor, I'd  
8 move to admit E-mail 1-137.

9 THE COURT: Any objection?

10 MS. BRESSACK: Actually, you have more time. Before I  
11 go to this particular exhibit, let me pull one more form up.  
12 And staying on this e-mail we've been talking about and on the  
13 left side of the screen I'd like to move to admit BOA3-H.

14 THE COURT: Any objection as to --

15 MR. EISELE: No.

16 THE COURT: It's admitted.

17 BY MS. BRESSACK:

18 Q Okay. Looking at this particular page on the left side of  
19 the screen, can you see what bank is associated with this  
20 document on the left side of the screen, Bank of America --

21 A Yes.

22 Q -- 3-H?

23 A It's Bank of America.

24 Q And could you read the name of the group that's associated  
25 with this particular statement?

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1 A GO Benson Group, LLC.

2 Q And zooming in on the account number, how does the account  
3 number for this statement on the left side of the screen compare  
4 to the account number on the e-mail on the right side of the  
5 screen?

6 A It's the exact same account number.

7 Q Okay. So I'm moving to the fourth page of this particular  
8 exhibit. Can you tell us what the time frame is for this  
9 statement on the top right corner on the left side of the screen  
10 of this bank statement?

11 A October 1st, 2013 to October 31st, 2013.

12 Q Okay. And I'm going to pull up one particular credit. Do  
13 you see what I've highlighted here?

14 A Yes.

15 Q And what's the date of this particular counter credit that  
16 I've highlighted here?

17 A October 29th, 2013.

18 Q And what's the amount to cover credit?

19 A \$6000.

20 Q How does that compare to the amount that's listed on the  
21 attachment to the e-mail on the right side of the screen?

22 A It's the exact same.

23 Q Okay. And is this counter credit that I've shown you here  
24 listed underneath a category called deposits and other credits?

25 A Yes, it is.

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1 MS. BRESSACK: Okay. At this time, Your Honor, I  
2 would move to admit E-mail 1-137?

3 MR. EISELE: No objection, Your Honor.

4 THE COURT: It's admitted.

5 BY MS. BRESSACK:

6 Q Okay. So I'm going to keep the e-mail that we've been  
7 talking about on the right side of the screen and pull up the  
8 new e-mail on the left side of the screen.

9 Let me see if I can make it bigger.

10 Okay, so how does the -- looking at the left side of the  
11 screen, just to be clear, we have E-mail 1-137 and on the right  
12 side of the screen we have E-mail 1-34. So how do -- does the  
13 sender and recipient of the e-mail on the left side of the  
14 screen compare to the sender and recipient on the right side of  
15 the screen?

16 A It's the exact same sender and recipient.

17 Q Okay. And then looking now at the bottom of the screen, do  
18 you see that there is e-mails below the e-mail at the very top?

19 A Yes.

20 Q And do you recognize the sender of the e-mail?

21 A Yes, the sender is Mary Blake.

22 Q And is that the e-mail address that you know to be used by  
23 Mary Blake?

24 A Yes.

25 Q Okay. And who is Mary Blake sending this particular e-mail

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1 to that's at the bottom of the screen on the left side?

2 A Mary Blake is sending it to R.sultan79@Yahoo.com and  
3 Shazman100@yahoo.com.

4 Q And how does that compare to the two e-mail addresses that  
5 are located on the right side of the screen at the bottom of the  
6 e-mail we've already been reviewing?

7 A They're the exact same.

8 Q Okay. And looking at the e-mail on the left side of the  
9 screen, the new one, what's the date of this particular e-mail?

10 A November 12, 2013.

11 Q So, is that after the e-mail we've been looking at that was  
12 dated November 29, 2013?

13 A Yes.

14 Q Okay. Now, can you see from this e-mail that there's an  
15 attachment to this e-mail on the left side of the screen?

16 A Yes, there's a PDF attachment.

17 Q Okay. Let's look at that attachment.

18 Okay. And zooming in on this particular attachment, who is  
19 this -- who's listed at the top of this attachment in terms of  
20 the name?

21 A The GO Benson Group.

22 Q And what's the date located next to GO Benson Group?

23 A November 12, 2013.

24 Q And what's the amount that's listed in terms of cash?

25 A \$9,500.

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1 Q And in the corner left on this particular slip, do you see  
2 a name that's familiar?

3 A Yes, it says, Mary Blake.

4 Q And just to be clear as to what document we're looking at,  
5 does this appear to be an out-of-state counter deposit form?

6 A Yes, it is.

7 Q And in terms of the account that's listed here, what's the  
8 last four of that account?

9 A 7607.

10 Q And again, pulling back up BOA3-A that we've already seen,  
11 which is the signature card, how does the account number listed  
12 on the left side of the screen of the e-mail we've been talking  
13 about compare to the account number listed on the right side of  
14 the screen that I just pulled up, which is BOA3-A?

15 A The account numbers are the exact same.

16 MS. BRESSACK: At this time, Your Honor, I'd move to  
17 admit BOA3-E.

18 THE COURT: Any objection?

19 MR. EISELE: No, Your Honor.

20 THE COURT: It's admitted.

21 BY MS. BRESSACK:

22 Q Do you see what I'm showing you -- let me make it a little  
23 bigger -- the cash-in debit?

24 A Yes.

25 Q How does the date and time on the right side of the screen

**ANGIE KENNARD - DIRECT EXAMINATION**

1 compare to the date and time on the document that's the  
2 attachment to the e-mail we've been discussing on the left side  
3 of the screen?

4 A They're both the exact same.

5 Q And how does the cash-in amount on the right side of the  
6 screen on the Bank of America exhibit compare to the deposit  
7 amount on the left side of the screen as the attachment to the  
8 e-mail?

9 A They're both the exact same.

10 Q And is the last four of the account of both these documents  
11 also the exact same?

12 A Yes, it is.

13 Q Now, we've been talking about deposits that happened in  
14 October and November of 2013, is that right?

15 A Yes.

16 Q Okay. Were you also able to recover an e-mail between Mary  
17 Blake and your father that occurred in 2014?

18 A Yes, there were multiple e-mails in 2014.

19 Q And right in front of you, do you see a document that's  
20 marked as DG2?

21 A Yes.

22 Q And do you recognize DG2 as one of the e-mails that you  
23 obtained from your father's e-mail account as a communication  
24 between your father and Mary Blake?

25 A Yes.

**ANGIE KENNARD - DIRECT EXAMINATION**

1 MS. BRESSACK: Your Honor, at this point we'd move to  
2 admit DG2?

3 THE COURT: Any objection?

4 MR. EISELE: No, Your Honor.

5 THE COURT: It's admitted.

6 BY MS. BRESSACK:

7 Q And I'm just going to zoom in here. Who is this e-mail  
8 from?

9 A It's from Mary Blake.

10 Q And again, you recognize that e-mail?

11 A Yes.

12 Q And who is this e-mail to?

13 A To my father, Donald Griffith.

14 Q And what's the subject of this particular e-mail?

15 A "I love you."

16 Q And what's the date on this e-mail?

17 A Friday, May 16, 2014.

18 Q Okay. And could you read the context of this e-mail?

19 A Bank of America; account name, Kishi Ent; account number  
20 446028882097; routine number, 026009593; 7600 Fontainebleau  
21 Drive, New Carrollton, Maryland 20784.

22 "My love, I needed \$7,200 to get this done, but I'll  
23 appreciate if you could make it \$7,500. It will really help. I  
24 love you, Mary."

25 Q Okay. Now I'm going to pull up two documents at the same

**ANGIE KENNARD - DIRECT EXAMINATION**

1 time, keeping up this e-mail we've been looking at.

2 And on the right side of the screen, I'd like to move to  
3 admit, Your Honor, BOA9-L, Bank of America 9-L.

4 THE COURT: Any objection?

5 MR. EISELE: No, Your Honor.

6 THE COURT: Admitted.

7 BY MS. BRESSACK:

8 Q Do you see the Bank of America document on the right side  
9 of your screen?

10 A Yes.

11 Q Okay. And beginning with the name, how does the name on  
12 this --

13 Well, first of all, let me start at the top. What is the  
14 title of this particular document?

15 A Out-of-state counter deposit.

16 Q Okay. And just one second. And how --

17 Do you see the name Mary Blake anywhere on this deposit  
18 form?

19 A Yes, I do. It says, "Reference Mary Blake" at the bottom  
20 left.

21 Q Okay. And in terms of the date, what is the date on this  
22 out-of-state counter deposit form?

23 A May 16, 2014.

24 Q And how does that date compare to the date that Mary Blake  
25 wrote the e-mail to your father on the left side of the screen?



**ANGIE KENNARD - DIRECT EXAMINATION**

1 A It's the exact same.

2 Q Okay. And I notice that there's an account number in the  
3 e-mail on the left side of the screen. How does that account  
4 number compare to the account number that's located on the right  
5 side of the screen, which is the out-of-state counter deposit  
6 for Bank of America?

7 A It's the exact same account number.

8 Q Except for the 52 at the front?

9 A Correct.

10 Q And then one more question related to that. How does the  
11 cash amount on this particular out-of-state deposit compare to  
12 the cash amount that Mary Blake wrote to your father on the left  
13 side?

14 A It's the exact same amount.

15 MS. BRESSACK: Your Honor, at this point, we'd move to  
16 admit BOA9-R.

17 THE COURT: Any objection?

18 MR. EISELE: No, Your Honor.

19 THE COURT: It's admitted.

20 BY MS. BRESSACK:

21 Q So on the left side of the screen, what's the title of the  
22 document that I'm looking at or that I've just pulled up?

23 A It's a business of America -- business signature card with  
24 Substitute Form W-9.

25 Q Okay. And what is the account number that's associated

**ANGIE KENNARD - DIRECT EXAMINATION**

1 with it? How does --

2 Let me ask you this: How does the account number on the  
3 left side of the screen compare to the account number on the  
4 right side of the screen that's on the deposit form?

5 A It's the exact same.

6 Q Okay. And what's listed as the account title on this  
7 particular signature card on the left side of the screen?

8 A DBA Yinka O. Awolaja, Junior, Kiski Entertainment.

9 Q Okay. And is there -- I'm pulling up the bottom of the  
10 screen. Is there -- are there two names associated with this  
11 particular signature card?

12 A Yes.

13 Q And could you please read the names and the title, if  
14 applicable?

15 A Adeyinka Awolaja, as the owner and Babatunde Emmanuel  
16 Popoola as the manager.

17 MS. BRESSACK: Okay. And then, Your Honor, at this  
18 point, I'd move to admit MVA4.

19 THE COURT: MVA4?

20 MS. BRESSACK: Mm-hmm.

21 THE COURT: Any objection?

22 MS. BRESSACK: Oh, Your Honor, I believe it's already  
23 been admitted. I apologize.

24 THE COURT: All right.

25 BY MS. BRESSACK:

**ANGIE KENNARD - DIRECT EXAMINATION**

1 Q Let me pull up what's already been admitted as MVA4. How  
2 does the name on this particular DMV or MVA document compare to  
3 the name on the signature card on the left side of the screen?

4 A It's the exact same name.

5 Q Okay. Let me pull back up BOA9-L on the left side of the  
6 screen and let me go to page 2 of this document.

7 Let me try that again. Do you see the two items that I've  
8 pulled up and blown up?

9 A Yes.

10 MS. BRESSACK: Okay. On the right side of the screen,  
11 I'd like to move to admit Bank of America 10-I1?

12 THE COURT: 10-I as in India, one.

13 MS. BRESSACK: Exactly, Your Honor.

14 THE COURT: Any objection?

15 MR. EISELE: No.

16 THE COURT: It's admitted.

17 BY MS. BRESSACK:

18 Q First of all, let me ask you, do you recognize the  
19 individual on this particular shot on the right side of the  
20 screen?

21 A Yes, I do.

22 Q And who is that individual?

23 A It's my dad.

24 Q Okay. And do you recognize the shirt that he's wearing as  
25 well?

**ANGIE KENNARD - DIRECT EXAMINATION**

1 A Yes.

2 Q You can take your time and answer.

3 A I'm sorry. Say that again please.

4 Q Please take your time and answer.

5 COURT REPORTER: Ms. Bressack, would you repeat your  
6 last question?

7 MS. BRESSACK: Please take your time.

8 I'll ask it again.

9 BY MS. BRESSACK:

10 Q Did you say that you recognized the shirt that this  
11 individual on the right side of the screen is wearing?

12 A Yes.

13 Q Okay. And how were you able to recognize that shirt?

14 A I packed the shirt and I brought it with him from Arizona  
15 to Virginia, and I had it in my house.

16 Q And I want to zoom in on the bottom of the screen of this  
17 particular shot. Do you see that there's a date here?

18 A Yes.

19 Q Okay. And how does this date -- and what date are we  
20 looking at here on the right side of the screen?

21 A May 16, 2014.

22 Q Is that the same date that you see on the left side of the  
23 screen?

24 A Yes.

25 Q The deposit slip?

**ANGIE KENNARD - DIRECT EXAMINATION**

1 A Yes.

2 Q And then there's a time on the right side of the screen  
3 associated with the still picture. What's that time?

4 A 9:00 a.m. Yeah, 9:00 a.m. 40, so 9:40 a.m.

5 Q And then is the time on the left side of the screen  
6 associated with the deposits that we've been looking at  
7 9:44 a.m.?

8 A Yes.

9 Q And then zooming in on the left side of this particular  
10 thing, do you see -- could you please read what we're looking at  
11 here at the bottom?

12 A It says, RH-Johnson-Blvd-1270602.

13 Q And on the left side of the screen as part of the deposit  
14 slip from Bank of America, do you see the words, RH Johnson  
15 Boulevard?

16 A Yes.

17 MS. BRESSACK: At this time, Your Honor, we would move  
18 to admit a video, BOA10-I?

19 THE COURT: Any objection?

20 MR. EISELE: May I have a brief moment?

21 THE COURT: Yes.

22 MR. EISELE: No objection, Your Honor.

23 THE COURT: Admitted.

24 BY MS. BRESSACK:

25 Q And again, do you recognize the individual we're seeing

**ANGIE KENNARD - DIRECT EXAMINATION**

1 here?

2 A Yes.

3 Q And in the corner right, do you still see the date

4 5/16/2014, 9:40 a.m.?

5 A Yes.

6 Q And on the corner left side of the screen, do you still see

7 RH Johnson as the location of this particular surveillance?

8 A Yes.

9 Q Let me ask you this: You mentioned that when you went to  
10 move your dad back to Virginia with you, that you at that point  
11 you assessed your dad's financial state; is that correct?

12 A Yes.

13 Q Now, we just talked about two different cash deposits.  
14 When you looked at your dad's financial situation in September  
15 of 2015, could you describe what you discovered?

16 A I saw basically about \$50,000 worth of credit card debt and  
17 only one bank account with about \$30,000 in it.

18 Q And during the course between 2013 and 2015, did your dad  
19 at any point ask you for money?

20 A Yes.

21 Q And was that at all odd based on the history you've had  
22 with your dad?

23 A Yes, it was. My dad always preached to never be a lender  
24 or a borrower. He never asked me for money, ever.

25 Q Until about 2013?

**ANGIE KENNARD - CROSS-EXAMINATION**

1 A Yes.

2 Q Did you at any point try to compile an estimate of how much  
3 your dad had sent on behalf of Mary Blake?

4 A Yes, I found a notebook that totaled about 269,000 and then  
5 I also found e-mails totaling about 700,000.

6 MS. BRESSACK: One second. Let me just check with my  
7 colleague.

8 No further questions.

9 THE WITNESS: Okay, thank you.

10 THE COURT: You have to stay there. The other lawyers  
11 are going to have some questions, ma'am.

12 MR. KRAMER: One minute.

13 CROSS-EXAMINATION

14 BY MR. KRAMER:

15 Q I'm sorry for your loss and that you have to be here today.  
16 My name is Paul Kramer. I represent Mr. Popoola and I'll be  
17 asking you a few questions, all right.

18 A Okay.

19 Q Do you remember during your testimony you mentioned a  
20 Mr. Mukky. I apologize I didn't catch the exhibit number.  
21 Apparently, there's some e-mail between you and someone known as  
22 Mukky?

23 A The e-mail was not between me.

24 Q Oh, I wasn't sure where, but you did talk about that. What  
25 does that mean -- how is that name associated with your father

**ANGIE KENNARD - CROSS-EXAMINATION**

1 or with this -- your testimony?

2 A I don't know the name personally, but it looked like it was  
3 on financial documents and transactions, e-mails between Mary  
4 Blake and Mukky. I'm not sure.

5 Q All right. So, that's basically what you testified you  
6 did -- that name did come up in the paperwork you were looking  
7 and dealt with Mary; is that correct?

8 A Yes.

9 Q All right. Now, let me show you a document that you've  
10 seen.

11 (Pause.)

12 BY MR. KRAMER:

13 Q Now, you've been shown this document and this is a bank  
14 account in which money that was sent --

15 THE COURT: Could we have the number of that please  
16 just so we all know what we're looking at? It's in I know, but  
17 I just want to --

18 MR. KRAMER: It's Exhibit BOA9-R into a Bank of  
19 America account.

20 THE COURT: All right. Thank you.

21 BY MR. KRAMER:

22 Q And you read the name before, but the government didn't ask  
23 you all about all the information that's on there, although the  
24 jury can see it. Again, who actually opened this account? Can  
25 you see it?



**ANGIE KENNARD - CROSS-EXAMINATION**

1 A I'm sorry, who opened what account?

2 Q The account that I'm -- can you see on the screen?

3 A I don't know who opened the account.

4 Q Well, what it -- whose name is the account actually in?

5 A It says DBA Yinka O. Awolaja, Jr. Kiski.

6 Q And what else is written there?

7 A Entertainment.

8 Q And also what does it say as the sole proprietor of that  
9 account?

10 A Adeyinka Awolaja is the sole proprietor.

11 Q Okay. And does it also show, where my finger is, what does  
12 that say there as to what type of account it is?

13 A Individual, slash, sole proprietor.

14 Q All right. So as what you testified, the document is being  
15 opened in a particular business name. It's a sole  
16 proprietorship, all right. Now, does it show who the owner of  
17 that business is?

18 Let me go down to the bottom here. Can you read who the  
19 owner of the business?

20 A You would have to zoom in a little bit more but it's  
21 Adeyinka Awolaja.

22 Q He's the owner?

23 A It says, owner.

24 Q All right. Now, who works for him is listed as manager of  
25 Mr. Popoola; is that correct?

**ANGIE KENNARD - CROSS-EXAMINATION**

1 A Yes.

2 Q So the account is in a business name in which a different  
3 person than Mr. Popoola was the actual owner and Mr. Popoola is  
4 listed as the manager. Is that basically what the document  
5 says?

6 A All I can tell you is what it says right there. It says  
7 owner and manager, and it has the name.

8 MR. KRAMER: That's fine. Thank you very much. I  
9 have no further questions.

10 THE COURT: Redirect, ma'am?

11 MS. BRESSACK: No redirect from the government, Your  
12 Honor.

13 THE COURT: May the witness be excused?

14 MS. BRESSACK: Yes, Your Honor, the witness may be  
15 excused.

16 THE COURT: Thanks, ma'am. You're free to go about  
17 your business. Please don't discuss your testimony with anyone  
18 further because the trial is going on for a while.

19 THE WITNESS: Do you want me to leave this stuff?

20 THE COURT: You can just leave those on that little  
21 table on the side, ma'am.

22 (Witness excused.)

23 (Whereupon, further proceedings were reported, but are not  
24 herein transcribed.)

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CERTIFICATE OF COURT REPORTER

I, Linda C. Marshall, certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

/s/

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Linda C. Marshall, RPR  
Official Court Reporter

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<b>\$1,145 [1]</b> 27/9 <b>\$16,000 [2]</b> 16/4 41/13 <b>\$28,855 [4]</b> 27/8 27/25 28/23 42/8 <b>\$30,000 [26]</b> 12/7 13/4 13/5 13/16 13/19 14/4 15/6 15/20 15/21 21/18 22/24 22/24 24/7 24/24 25/5 26/24 27/9 27/11 30/13 30/18 38/21 39/2 42/7 42/13 49/22 78/17 <b>\$34,000 [1]</b> 17/3 <b>\$35,000 [1]</b> 17/2 <b>\$4000 [2]</b> 30/12 30/12 <b>\$50,000 [2]</b> 49/10 78/16 <b>\$5000 [2]</b> 12/19 30/12 <b>\$6000 [2]</b> 63/5 66/19 <b>\$624 [1]</b> 22/23 <b>\$7,200 [1]</b> 71/22 <b>\$7,500 [1]</b> 71/23 <b>\$700,000 [1]</b> 49/21 <b>\$9,500 [1]</b> 68/25	<b>2015 [6]</b> 47/23 48/8 48/11 49/3 78/15 78/18 <b>2016 [2]</b> 1/7 19/20 <b>202 [1]</b> 2/6 <b>202-745-7800 [1]</b> 2/7 <b>20770 [1]</b> 1/15 <b>20772 [1]</b> 1/18 <b>20784 [1]</b> 71/21 <b>211 [1]</b> 1/21 <b>21201 [1]</b> 2/3 <b>21202 [1]</b> 1/21 <b>24th [1]</b> 22/18 <b>25 [1]</b> 10/14 <b>25th [7]</b> 22/6 22/17 24/3 24/24 26/24 53/5 55/11 <b>26 [1]</b> 58/23 <b>269,000 [1]</b> 79/4 <b>27 [1]</b> 1/7 <b>27th [1]</b> 19/20 <b>28 [2]</b> 59/18 59/24 <b>28,851 [1]</b> 39/25 <b>28,855 [1]</b> 39/21 <b>28th [1]</b> 61/15 <b>29 [2]</b> 62/2 68/12 <b>29th [2]</b> 64/5 66/17	<b>6</b> <b>6406 [1]</b> 1/14 <b>6413 [1]</b> 21/4 <b>7</b> <b>700,000 [1]</b> 79/5 <b>75 percent [1]</b> 10/13 <b>7600 [1]</b> 71/20 <b>7607 [1]</b> 69/9 <b>7800 [1]</b> 2/7 <b>7832 [1]</b> 1/19 <b>79 [2]</b> 3/11 47/21 <b>7th [1]</b> 27/1
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<p><b>W</b></p> <p><b>where...</b> [28] 15/22 18/8 20/25 21/14 21/18 21/21 21/21 21/24 22/9 22/21 24/5 24/7 24/12 24/21 24/25 25/8 25/11 29/9 29/14 30/4 33/17 44/12 45/2 46/18 49/21 64/3 79/24 81/11</p> <p><b>Whereupon</b> [3] 4/3 43/2 82/23</p> <p><b>whether</b> [3] 15/5 46/7 51/24</p> <p><b>which</b> [21] 10/16 12/3 13/15 18/7 25/4 26/4 28/23 29/7 33/21 35/9 53/23 54/17 56/1 60/4 60/16 62/16 69/11 69/14 73/5 80/14 82/2</p> <p><b>while</b> [2] 15/24 82/18</p> <p><b>white</b> [2] 19/9 37/17</p> <p><b>who</b> [42] 7/17 9/3 9/21 10/20 18/17 19/6 21/12 23/14 28/7 28/13 29/19 29/19 37/21 37/22 40/5 40/5 40/14 40/25 41/23 42/23 45/12 50/2 50/7 55/12 56/13 56/15 59/21 63/18 63/24 64/15 64/16 67/25 68/18 71/7 71/12 75/22 80/24 81/1 81/3 81/16 81/18 81/24</p> <p><b>who's</b> [1] 68/19</p> <p><b>whoever</b> [1] 37/15</p> <p><b>whom</b> [1] 21/7</p> <p><b>whose</b> [6] 9/5 23/12 28/4 29/1 29/5 81/4</p> <p><b>why</b> [10] 8/6 14/11 16/24 18/15 18/25 40/9 40/14 45/21 46/6 50/3</p> <p><b>wide</b> [2] 47/4 47/7</p> <p><b>wife</b> [1] 9/4</p> <p><b>will</b> [20] 4/15 4/23 27/15 33/18 34/2 34/3 53/11 53/18 53/19 53/25 54/1 54/1 54/1 54/6 54/9 55/1 55/4 56/5 56/17 71/23</p> <p><b>win</b> [1] 59/7</p> <p><b>windfall</b> [1] 17/7</p> <p><b>WINDOM</b> [3] 1/13 3/6 4/13</p> <p><b>wire</b> [1] 14/7</p> <p><b>wired</b> [1] 14/7</p> <p><b>wires</b> [1] 49/6</p> <p><b>wiring</b> [1] 46/16</p> <p><b>with my</b> [1] 79/6</p> <p><b>without</b> [4] 26/4 30/11 54/19 58/17</p> <p><b>witness</b> [12] 4/16 34/13 34/20 36/7 42/1 42/18 42/23 43/1 43/8 82/13 82/14 82/22</p> <p><b>WITNESSES</b> [1] 3/2</p> <p><b>woman</b> [3] 49/25 50/2 50/10</p> <p><b>won't</b> [6] 20/1 53/19 57/11 57/21 58/12 58/16</p> <p><b>wonders</b> [1] 53/13</p> <p><b>word</b> [2] 37/22 54/17</p> <p><b>words</b> [3] 23/7 38/18 77/14</p> <p><b>work</b> [10] 9/9 16/10 54/5 54/8 55/22 56/1 56/10 57/24 58/2 58/3</p> <p><b>worked</b> [2] 9/6 11/11</p> <p><b>working</b> [4] 6/6 11/9 47/10 58/18</p> <p><b>workplace</b> [1] 53/13</p> <p><b>works</b> [1] 81/24</p> <p><b>worth</b> [2] 49/10 78/16</p> <p><b>would</b> [48] 4/12 7/22 10/13 10/18 10/24 11/2 11/15 13/15 13/16 15/5 15/7 15/11 15/12 15/16 16/16 16/19 17/3 17/6 18/1 18/18 27/11 28/10 28/10 30/18 33/22 34/10 34/16 34/19 34/24 36/9 43/4 47/21 51/24 52/8 53/7 55/15 56/9 56/10 56/19 57/6 57/10 58/6 58/13 61/16 67/2</p>	<p>76/5 77/17 81/20</p> <p><b>written</b> [1] 81/6</p> <p><b>wrote</b> [3] 55/13 72/25 73/12</p> <p><b>Y</b></p> <p><b>y'all</b> [8] 5/25 7/2 8/24 10/16 10/23 10/24 11/7 18/7</p> <p><b>Yahoo</b> [2] 64/22 65/2</p> <p><b>yahoo.com</b> [7] 53/1 57/2 64/18 64/19 64/24 68/2 68/3</p> <p><b>Yeah</b> [10] 13/2 22/23 32/18 46/3 48/15 49/18 50/1 52/18 65/6 77/4</p> <p><b>year</b> [2] 44/23 50/2</p> <p><b>years</b> [7] 6/5 6/18 7/2 8/25 15/1 44/15 47/16</p> <p><b>yes</b> [190]</p> <p><b>yesterday</b> [1] 6/3</p> <p><b>yet</b> [1] 54/5</p> <p><b>Yinka</b> [2] 74/8 81/5</p> <p><b>York</b> [2] 12/5 12/13</p> <p><b>you</b> [504]</p> <p><b>you'll</b> [5] 5/12 35/14 58/11 58/15 58/17</p> <p><b>you're</b> [8] 18/9 27/17 36/24 38/13 39/16 42/21 56/25 82/16</p> <p><b>you've</b> [7] 7/3 14/17 20/19 40/19 78/21 80/9 80/13</p> <p><b>your</b> [154]</p> <p><b>yourself</b> [3] 14/18 46/14 56/16</p> <p><b>Z</b></p> <p><b>zoom</b> [5] 52/14 56/23 71/7 76/16 81/20</p> <p><b>zooming</b> [3] 66/2 68/18 77/9</p>	
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